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SUBJECT: Sierra Leoneans React to Human Rights Report

Summary

¶1. On April 13, the Parliamentary Human Rights Committee hosted its second annual workshop on the status of human rights in Sierra Leone and used the State Department's Country Report on Human Rights Practices as its basis for discussion. Human Rights Committee Chairman Dr. Alusine Fofana used the workshop to bring attention to his human rights agenda, which this year consists of passing laws to implement the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Sierra Leone has signed and ratified both. The forum included a more diverse audience and more speakers than last year and allowed a variety of people to express their opinion about the way the U.S. Government looks at Sierra Leone's human rights protection. Notably, discussion of female genital mutilation (FGM) issues had changed since the previous year's workshop in that there was more vocal participant support for ending the practice. The most heated discussion centered on the beating and subsequent death of "For Di People" acting editor Harry Yansaneh and the failure of government to prosecute his attackers, including MP Fatmata Hassan. Sierra Leone still has a long way to go when it comes to problematic issues such as official impunity and recognition of people's right to criticize their government, but the human rights workshop provided a good platform for Sierra Leoneans to engage in much-needed discussion on human rights protection. End Summary.

Bigger Audience, More Support for Human Rights

¶2. On April 13, the Parliamentary Human Rights Committee hosted its second annual workshop on the status of human rights in Sierra Leone and used the State Department's Country Report on Human Rights Practices as its basis for discussion. The workshop drew a number of high-level participants, including the Attorney General and Minister of Justice, the Deputy Speaker of Parliament and a number of MPs, the Ombudsman, an Assistant Inspector General of Police, UNIOSIL's Executive Representative to the Secretary General (ERSG), and the president of the Sierra

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Leone Association of Journalists (SLAJ). Other attendees included NGO representatives, journalists, and visiting law students from the University of Pretoria's Center for Human Rights.

¶3. Human Rights Committee Chairman Dr. Alusine Fofana used the workshop to bring attention to his human rights agenda, which this year consists of passing laws to bring Sierra Leone into Compliance with the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), both of which have been signed by the Government of Sierra Leone and ratified by parliament. Fofana, the driving force of the workshop and a highly regarded member of the ruling Sierra Leone People's Party (SLPP) government, told participants that bad human rights protection will mean bad business prospects for Sierra Leone in the future. Fofana appealed to the Ambassador to invite Secretary of State Rice to attend next year's Human Rights Forum in Freetown.

¶3. The forum, which included a more diverse audience and more speakers than last year, allowed a variety of people express their opinion about the way the U.S. Government looks at Sierra Leone's human rights protection environment. While most participants were supportive of the report's criticisms (especially women), others, especially the Attorney General, expressed frustration at what they viewed as unfair condemnation.

¶4. The Ambassador delivered a 20-minute speech explaining the history, methodology, and highlights of the 2005 Country Report on Human Rights Practices for Sierra Leone. Other speakers discussed the human rights climate in the country more generally, but all speakers reflected

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the same concerns raised in the Human Rights Report. Press coverage was positive - "Salone Must Improve Human Rights!" was the headline in one local newspaper.

Attorney General Defends Government,
Gives Hope for New Human Rights Commission

¶5. Attorney General and Minister of Justice Frederick Carew spoke frequently in defense of the Government's actions. Making oblique reference to recent arrests of journalists and opposition politician Charles Margai, Carew complained that "people want to enjoy human rights without respecting the rights of others," which, in his mind, translates to a security problem the Government is forced to deal with. A representative for the Minister of Presidential Affairs echoed Carew's sentiment: "It used to be that looking at the President funny would land you at Pademba Road [maximum security prison]," he said. "Now, you can say anything against the President you want to, as long as it is productive." (Note: This comment elicited a good laugh from the audience, although the speaker certainly did not mean it to. End Note.)

¶6. On the positive side, Carew announced his hope that the National Commission for Human Rights would be established by the end of April. Carew described the Commission as a body having the powers of a high court for human rights matters, since it will have the power to subpoena witnesses for the redress of human rights violations. (Note: The establishment of the National Commission for Human Rights was called for in the 1999 Lome Peace Accords, but implementation has been elusive. Parliament passed enabling legislation in 2004, and one of the UNIOSIL mission's human rights mandates is to get the Commission up and running. Unfortunately, the search committee's inability to find qualified candidates

stalled the effort to start the Commission at the end of 2005. End note.)

17. SLAJ President Ibrahim Kargbo bemoaned the media's difficulties in accessing government information and criticized the Government for jailing reporters for "expressing their opinion." He was the first of many that day to complain about the lack of progress in the inquest into the 2005 death of Harry Yansaneh, acting editor of "For Di People" newspaper. He was severely beaten, allegedly on the orders of SLPP MP Fatmata Hassan, who owned the property from which the newspaper was being evicted, and later died. Kargbo echoed what has become a repeated call to repeal the anti-press provisions of the Public Order Act, which provides criminal penalties for libel. (Note: The Attorney General's reply? If you don't like the law, then work with others to gain enough support to repeal it. For this issue, the Attorney General's analysis was reasonable. End Note.)

Support for Women's Rights, TIP Law Enforcement

18. Human Rights Attorney Jamesfina King spoke about the importance of CEDAW. She called for parliament to pass three pieces of domestic legislation that would improve women's rights but have not yet been tabled before Parliament: the Devolution of Estates Act, the Registration of Customary Marriages and Divorces Act, and the Domestic Violence Act. (Note: All of these bills originated in the Law Reform Commission and two of them have been forwarded to the Attorney General's office, where they remain stuck. Since 2004, the Commission has forwarded a total of 12 draft bills to the Attorney General's office, only one of which had been submitted to Parliament. End Note.)

19. Ombudsman Francis Gabbidon spoke out strongly in favor of moving the human rights legislative agenda forward. Gabbidon was the first speaker of the day to address the sensitive subject of female genital mutilation (FGM), which is still widely practiced and accepted in Sierra

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Leone. "It is time to do away with these cultural practices," Gabbidon said. Gabbidon mentioned the 2003 Cairo Declaration for the Elimination of FGM. Sierra Leone attended the convention, he said, but did they sign the Declaration? (They did.) Other African countries are moving toward the elimination of FGM, he said, and Sierra Leone should, too.

10. Gabbidon also took up the cause of Trafficking in Persons. Speaking of the Anti Trafficking in Persons Act passed in 2005, he complained that the TIP Task Force (of which the Ombudsman is a member) has not yet convened, even though it is called for in the legislation. The Government, he said, should not keep the legislation "under lock and key." It needs to be implemented. One trafficking issue that needs to be addressed, Gabbidon said, are Sierra Leonean girls who are forced to work as prostitutes in Italy.

Thanks for the Report!
Can You Add More Topics Next Year?

11. UNIOSIL ERSG Victor Angelo thanked Ambassador Hull for the Report. Angelo said that UNIOSIL has a strong human rights mandate and that one of their tasks is to develop a National Action Plan for Human Rights protection for Sierra Leone. Angelo noted that Sierra Leone is very good when it comes to signing and ratifying

international conventions, but not so good at nationalizing and implementing them.

¶12. National Forum for Human Rights representative Alfred Carew praised the Human Rights Report for the indicators it provides. Carew cited the Truth and Reconciliation Commission's final report, saying that the violation of citizen's economic and social rights led to Sierra Leone's 11-year civil war. Carew went on to suggest adding other indicators in the annual reports, such as health, education, and access to clean water, which he also considers to be human rights.

Afternoon Session Focuses on
Participants' Human Rights Concerns

¶13. The afternoon question-and-answer session provided participants with an opportunity to discuss their concerns more specifically and at greater length with the DCM and PolOff. Focus areas included security force abuses, women's issues, civil/political rights, TIP, and workers' rights.

¶14. Notably, discussion of FGM issues had changed since the previous year's workshop in that there was more vocal participant support for ending the practice.

¶15. The most heated discussion centered on the beating and subsequent death of "For Di People" acting editor Harry Yansaneh and the government's failure to prosecute his attackers, including SLPP MP Fatmata Hassan. Attorney General Carew responded to the criticism with a series of questionable defenses: there was no blood found on Yansaneh's clothes after the beating, he said, and an eviction notice Hassan sent to Yansaneh had expired. Hassan stayed in the car while the alledged attackers went upstairs to enforce the eviction, he said. (Note: For Di People staff claim they have pictures of Hasanyeh wearing blood-stained clothes, and a police doctor acknowledged when Yansaneh reported the crime that he had sustained injuries (bruises, swollen mouth, etc.). Also, Yansaneh's beating occurred shortly after Hassan had posted a notice that all newspaper staff working in the building she owns had to depart the premises by 7:15 p.m. each day. The six-month notice eviction order in fact had not yet expired. End Note.)

Comment: Parliament Session Good
Platform for Human Rights Promotion

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¶16. It was clear at points throughout the day that Sierra Leone still has a long way to go when it comes to problematic issues such as official impunity and recognition of people's right to criticize their government, but the human rights workshop provided a good platform for Sierra Leoneans to engage in much-needed discussion on human rights protection. We know of no country in the neighborhood that gives such public attention to the U.S. Human Rights Report. We applaud the efforts of the Parliamentary Human Rights Committee. Linking a high-level Department visit with next year's discussion of the Human Rights Report would give us the chance to further leverage important human rights progress.
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